

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**ANTHONY FALCO, JR.,**

**Defendant.**

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**Case No. 11-0228-CR-W-GAF**

**ORDER**

On December 7, 2013, Government counsel filed a Motion Memorializing Request for *Sell* Hearing to Determine Whether Medication May Be Involuntarily Administered to Defendant (Doc. #54).

On March 14, 2013, an evidentiary hearing was conducted by the Honorable Sarah W. Hays, United States Magistrate Judge, to determine whether psychiatric medications should be involuntarily administered to the defendant in an attempt to restore his competency to proceed at trial. Defendant was represented by Assistant Federal Public Defender Laine Cardarella and the Government was represented by Assistant United States Attorneys Justin G. Davids and Sarah A. Castle. The parties stipulated to the three reports that have been issued in this case: the Psychological Evaluation dated November 23, 2011; the Forensic Evaluation dated June 1, 2012, and signed June 6, 2012; and the Forensic Evaluation dated October 29, 2012, and signed November 13, 2012. Government counsel also requested that the Court take judicial notice of the affidavit that was filed in support of the criminal complaint in this case.

On April 16, 2013, United States Magistrate Judge Sarah W. Hays issued her Report and Recommendation (Doc. #60).

Upon careful and independent review of the record, as well as the applicable law, and there being no objections filed to the Report and Recommendation, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Sarah W. Hays.

Accordingly, it is

ORDERED that defendant Anthony Falco, Jr. be returned to the Federal Medical Center in Butner, North Carolina, and that the Federal medical Center commence the involuntary medication of defendant Falco in order to render him competent to stand trial. As part of this Order, the Federal Medical Center is granted permission to do the basic metabolic tests that would help ensure defendant Falco's safety and monitor any side effects from the medication.

s/ Gary A. Fenner  
GARY A. FENNER, JUDGE  
UNITED STATES DISTRICT COURT

DATED: May 6, 2013